

NOTICE OF DETERMINATION

TO: Office of Planning and Research  
1400 Tenth Street  
P.O. Box 3044  
Sacramento, California 95812-3044

FROM: City of Fairfield  
1000 Webster Street, Room 200  
Fairfield, California 94533

X County Clerk  
County of Solano  
650 Texas Street  
Fairfield, California 94533

**FILED**

Jan. 12. 2001

Michael D. Johnson, Clerk of  
the Board of Supervisors of  
the County of Solano, State  
of California

By S. Hoffert, Deputy

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code.

Project Title: Rancho Solano Phase 3

State Clearinghouse Number: N/A

Contact Person: Jon Hilliard, Associate Planner

Telephone Number: 707/ 428-7447

Project Location: Approximately 289 acres of land located west of Rancho Solano Parkway, at the northerly and southerly intersections of Pebble Beach Circle with Rancho Solano Parkway, and immediately east of lands of V. Sattui Winery and the portion of Smith Ranch within the jurisdiction of the County of Solano; A.P.N. 151-110-060.

Project Description: The proposal is to develop approximately 64 acres of the subject 289 acre site with a single-family subdivision of 217 lots, provide open space and an approximately 5 acre private park. The project is a portion of the larger Rancho Solano Planned Development which was approved by the City in 1985.

This is to advise that the City of Fairfield has approved the above described project on January 10<sup>th</sup>, 2001, and has made the following determinations regarding this project:

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. Mitigation measures ☒ were ☐ were not made a condition of approval of the project.

The mitigation measures are as follows:

A. Aesthetics

Impacts:

1. Potential impact of development on the Suisun Valley Scenic Corridor.
2. Potential negative visual impacts within the project and on nearby properties as a result of project grading and remedial geotechnical measures including ~~this document posted from~~ the development.

01-12-01 TO 3-15-01

Mitigation:

1. As provided for in Conditions of Tentative Subdivision Map Approval, the project grading plans shall include a large berm, adjacent to and south of Lots 217, and lots 64 through 66 on the westerly edge of development, as depicted on Sheets C5 and C6 of the Preliminary Grading Plan. Said berm shall include a combination of 15 gallon and 24" box native oak trees, planted in clusters adequate to filter views into the project from the west. A preliminary design submitted with the Tentative Subdivision Map indicates a minimum of 40 trees on the berm.
2. The length and finished elevation of Black Mountain Court and the associated lots (#'s 91 through 98) shall be reduced, to avoid removal of the existing 32" oak tree identified as Tree #63 on the Tree Removal Exhibit (Sheet E5 of the project plans) and to reduce the finished height of the flat catchment below Slide 10.
3. Grading at the project perimeter/interface with open space shall not exceed 3:1 slope, unless the adjacent natural slope is steeper;
4. Future homes built in the project shall utilize earthtone building and roof colors neutral to the surrounding open space hillsides. Use of light pastel building colors or red roof materials shall be prohibited.

## B. Air Quality

Impacts:

1. Generation of dust and other airborne particulate during grading and project construction.

Mitigation:

To mitigate these potential impacts, the City will require the developer to follow the Enhanced Control Measures identified as acceptable by the BAAQMD Guidelines, including the following:

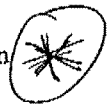
1. Water all active construction areas at least twice daily during grading operations.
2. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
3. Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites during grading operations.
4. Sweep as needed (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
5. Sweep streets daily (with water sweepers) if visible soil materials are carried onto adjacent public streets.
6. Hydroseed or apply non-toxic soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
7. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.)
8. Limit traffic speeds on unpaved roads to 15 mph.

9. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
10. Replant vegetation in disturbed areas as quickly as possible.
11. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
12. Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas.
13. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
14. Limit the area subject to excavation, grading, and other construction activity at any one time.

C. Biology/ Wetlands

Impacts:

1. Fill of approximately .98 acres of jurisdictional wetlands as a result of development, namely within intermittent drainage creeks which traverse the property.



Mitigation:

1. The developer will be required to construct new wetlands on the site to mitigate for those covered by construction, at a minimum 1.5 for 1 ratio. A preliminary mitigation plan prepared by the applicant's consulting biologist indicates replacement of the .98 acres of wetlands to be filled with approximately 2.45 acres of mitigation area. The Wetlands Mitigation Plan prepared by Zentner and Zentner, dated February 4, 2000, shall be revised to reflect the updated project layout, and an alternative course of mitigation for the rock weir at the southern perimeter shown in Figure 5 of the study.

D. Cultural Resources

Impacts:

1. Potential disturbance of archaeological resources associated with a nearby archaeological site (CA-SOL-260).

Mitigation:

1. Full-time monitoring of grading and earthwork is required on those lots nearest CA-SOL-260, as recommended in the second level project archaeological study prepared by Archaeological Resource Service (July 2000).

E. Geologic/ Soils

Impacts:

1. Potential hazards due to slides above development, and soil liquefaction in the event of strong ground shaking (earthquake) over the life of the project.

Mitigation:

1. Project Grading and Improvement Plans shall comply and conform to the recommendations contained on pages 4-19 of the project Geotechnical Investigation prepared by Berloger Geotechnical Consultants dated September 16, 1999, except as otherwise directed by the City Engineer. However, in no event shall this mitigation measure be construed to require the use of steeper slopes at the project perimeter, as required in the preceding Section A.3.

F. Hazards

Impacts:

1. Exposure of persons and property to risk from wildland fires, due to the project setting and geography which includes residential building adjacent to areas subject to wildland fire risk.
2. Location of persons and houses outside the 5 minute response time for local Fire Department emergency response.

Mitigation:

1. The project developer shall be responsible for building, and future homeowners for maintaining, a cleared buffer between the houses and open space wildlands.
2. All homes within the project shall require an internal automatic sprinkler system for fire suppression.

G. Water Quality/Hydrology

Impacts:

1. Potential for degradation to water quality due to increased runoff from the site.
2. Potential increase in erosion to downstream properties, due to runoff release from the project and inadequate capacity in the existing overland drainage ditches on lands to the west, within the jurisdiction of Solano County.



Mitigation:

1. Prior to issuance of any building permit for site work or for building construction, the developer shall submit an erosion and sedimentation control plan and compliance with the National Pollution Discharge Elimination System (NPDES) Permit program, and a Storm Water Pollution Prevention Plan (SWPPP).
2. Project shall comply with City's storm drainage standards which require a reduction of 10% in the historical overland release from the subject property. The project detention basin shall be designed with adequate holding capacity to meet this standard, and outfalls shall be designed to meter the release to avoid increased inundation of adjacent property, to the satisfaction of the City Engineer.

X A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA. A copy of the Negative Declaration and record of project approval may be examined at the City of Fairfield, Department of Planning and Development, 1000 Webster Street, Room 200, Fairfield, CA 94533.

— An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA, and was reviewed and considered by the decision-making body prior to its decision on the project. The Environmental Impact Report and record of project approval is available to the public at the City of Fairfield, Department of Planning and Development, 1000 Webster Street, Room 200, Fairfield, CA 94533.

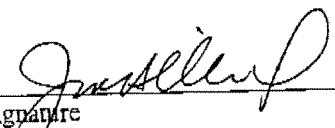
— The City found that the environmental effects of the project could be mitigated by modifications to the project which are within the responsibility and jurisdiction of another public agency.

— Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

— A Statement of Overriding Considerations ☐ was ☐ was not adopted for this project.

This document is being filed in duplicate. Please acknowledge the filing date and return acknowledged copy.

\_\_\_\_\_  
Date Received for Filing

  
\_\_\_\_\_  
Signature

Jon Hilliard, Associate Planner

**PROOF OF PUBLICATION  
(2015.5 C.C.P.)****STATE OF CALIFORNIA  
County of Solano**

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the principal Clerk of the printer for the:  
**DAILY REPUBLIC**  
P.O. Box 47 (1250 Texas Street)  
FAIRFIELD, CA 94533  
in the City of Fairfield, County of Solano, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Solano, State of California, Case Number 25875, on June 30, 1952, that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates to-wit:

December 22,  
in the year 2000.

I certify (or declare) under penalty of perjury that the foregoing is true and correct. Dated at: Fairfield, California this 28th Day of December, 2000

Jenna Monen  
Legal Publications Clerk

Th. space for the  
County Clerk's Filing Stamp

**RECEIVED**

JAN 19 2001

**CITY OF FAIRFIELD**  
PLANNING AND DEVELOPMENT

Proof Of Publication  
Public Hearing

**PUBLIC HEARING  
CITY OF FAIRFIELD  
PLANNING COMMISSION**  
NOTICE IS HEREBY GIVEN THAT THE PLANNING COMMISSION OF THE CITY OF FAIRFIELD will hold a public hearing on the following item:  
**RANCHO PHASE 3-** Request by DUC Housing for a Mitigated Negative Declaration and Tentative Subdivision Map (E.R. 99-42; T.S. 99-3) to allow the division of 9-acre property into 216 single-family lots and open space parcels, on property generally located west of Rancho Solano Parkway (A.P.N. 15). The Mitigated Negative Declaration finds that the project will not have a significant impact on the environment. (Planner: Jon R. Hilliard, 428-7447)  
**NOTICE IS FURTHER GIVEN THAT** said public hearing will be held on January 10, 2001, beginning at 7:00 p.m. in the Council Chambers of the City of Fairfield at which time and place any and all parties may appear and be heard. If you wish to raise only those issues described in the written correspondence delivered to the Department of Planning and Development at or before the public hearing. For additional information, contact the Department of Planning and Development, Hall, Room 200 or phone 428-7461.  
Published: December 20, 2000

OCT. 13. 2003 9:09AM DUC

**NOTICE OF INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION (E.R. 99-42)**

City of Fairfield Department of Planning and Development  
1000 Webster Street  
Fairfield, California 94533

NO. 0248<sup>th</sup> P. 8/24  
*October 18, 2000*

Michael D. Johnson, Clerk of  
the Board of Supervisors of  
the County of Solano, State  
of California

*3.10 Deputy*

Given pursuant to the California Environmental Quality Act, (CEQA) Sections 21091 and 21092 of the Public Resources Code and Section 15072 of the CEQA Guidelines.

NOTICE IS HEREBY GIVEN that a draft Mitigated Negative Declaration has been prepared and is available for public review and comments regarding the following project:

PROJECT TITLE: Rancho Solano Phase 3

PROJECT LOCATION: Land located east and west of Rancho Solano Parkway, at the northerly and southerly intersections of Rancho Solano Parkway and Pebble Beach Circle, and immediately east of lands of V. Sattui Winery and the portion of Smith Ranch within the jurisdiction of the County of Solano; A.P.N. 151-110-060.

PROJECT APPLICATIONS: T.S. 99-42

PROJECT DESCRIPTION: The proposal is to develop approximately 64 acres of the subject site with a single-family subdivision of 217 lots. Development is proposed at the lower portions of the site, between the 150 foot and 290 foot elevation. The remainder of the site, approximately 225 acres, will be preserved as private open space. Access to the project is via an extension of Pebble Beach Drive from two existing intersection stubs on Rancho Solano Parkway.

REVIEW PERIOD: October 19, 2000 through November 8, 2000.

CONTACT PERSON: Jon Hilliard, 428-7447

HEARING DATES: November 8, 2000

PLANNING COMMISSION: PLANNING COMMISSION  
Fairfield Council Chambers  
1000 Webster St.  
Fairfield, California 94533

LOCATION OF HEARINGS: Fairfield Council Chambers

THIS DOCUMENT POSTED FROM

*10-18-00* TO *12-15-00*

*3.10 Deputy*  
DEPUTY CLERK OF THE BOARD

Copies of all relevant documents are available at the City of Fairfield Department of Planning and Development at the above address.

Comments to the Negative Declaration must be received by the Department of Planning and Development in writing no later than 5:00 p.m. on [last day of review period]. The comments should focus on the sufficiency of the environmental documentation in its discussion of the possible impacts of the project.

The project site ☐ is ☒ is not listed on any list of hazardous waste sites prepared pursuant to Government Code Section 65962.5. Any information contained in a Hazardous Waste Substances Statement is attached to this Notice.

Further information may be obtained from the Department of Planning and Development during regular business hours Monday through Friday, 8:00 a.m. to 12:00 noon and 1:00 p.m. to 5:00 p.m. at 707/428-7461.

997

STATE OF CALIFORNIA THE RESOURCES AGENCY  
DEPARTMENT OF FISH AND GAME  
ENVIRONMENTAL FILING FEE CASH RECEIPT  
DFG 725.5a (9-91)

Lead Agency: City of Fairfield Date: 1-12-01  
County/State Agency of Filing: City of Solano Phase 3 Document No.: 03-200  
Project Title: Phase 3 Phone Number: 707-428-7447  
Project Applicant Name: City of Fairfield  
Project Applicant Address: 1000 Wilbur St. Box 200 Fairfield CA 94533  
Project Applicant (check appropriate box): Local Public Agency ☒ School District ☐ Other Special District ☐  
State Agency ☐ Private Entity ☐

CHECK APPLICABLE FEES:

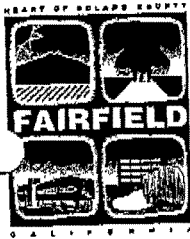
|                                                                                |            |             |
|--------------------------------------------------------------------------------|------------|-------------|
| ( ) Environmental Impact Report                                                | \$850.00   | \$          |
| (X) Negative Declaration                                                       | \$1,250.00 | \$ 1,250.00 |
| ( ) Application Fee Water Diversion (State Water Resources Control Board Only) | \$850.00   | \$          |
| ( ) Projects Subject to Certified Regulatory Programs                          | \$850.00   | \$          |
| (X) County Administrative Fee                                                  | \$25.00    | \$ 25.00    |
| ( ) Project that is exempt from fees                                           |            |             |

TOTAL RECEIVED \$ 1,275.00

Signature and title of person receiving payment: Shelley B. Smith  
FIRST COPY-PROJECT APPLICANT SECOND COPY-DFG/FASB THIRD COPY-LEAD AGENCY FOURTH COPY-COUNTY/STATE AGENCY OF FILING

OCT. 13. 2003 9:10AM DUC

NO. 0248 P. 10/24



## CITY OF FAIRFIELD

Founded 1856

Incorporated December 12, 1903

### DEPARTMENT OF PLANNING AND DEVELOPMENT

RECEIVED  
JAN 17 2001  
DUC HOUSING PARTNERS, INC

#### COUNCIL

Mayor  
George Pettygrove  
707.428.7395

Vice-Mayor  
Harry T. Price  
707.429.6296

Councilmembers  
707.429.6298

Jack Batson

Steve Lesler

Karin MacMillan

\*\*\*

City Manager  
Kevin O'Rourke  
707.428.7400

\*\*\*

City Attorney  
Greg Stepanovich  
707.428.7419

\*\*\*

City Clerk  
Gina Merrill  
707.428.7384

\*\*\*

City Treasurer  
Oscar G. Reyes, Jr.  
707.428.7497

January 16, 2001

Kathy Oesterreich  
DUC Housing Partners  
14107 Winchester Blvd. #H  
Los Gatos, CA 95032

Re: A RESOLUTION OF THE FAIRFIELD PLANNING COMMISSION ADOPTING A MITIGATED NEGATIVE DECLARATION (E.R. 99-42) AND GRANTING APPROVAL FOR A 289 ACRE RESIDENTIAL TENTATIVE SUBDIVISION MAP (T.S. 99-3), CREATING 217 SINGLE-FAMILY LOTS AND 225 ACRES OF OPEN SPACE, ON PROPERTY LOCATED WEST OF RANCHO SOLANO PARKWAY, AT THE NORTHERLY AND SOUTHERLY INTERSECTIONS OF PEBBLE BEACH CIRCLE WITH RANCHO SOLANO PARKWAY, APN 151-110-060

Dear Kathy:

At the Planning Commission meeting of January 10, 2001, the attached Resolution was adopted. I have enclosed a copy for your files.

If you have any questions, please feel free to contact me at 707/428-7447.

#### DEPARTMENTS

Community Services  
707.428.7465

\*\*\*

Finance  
707.428.7496

\*\*\*

Fire  
707.428.7375

\*\*\*

Human Resources  
707.428.7394

\*\*\*

Planning & Development  
707.428.7461

\*\*\*

Police  
707.428.7551

\*\*\*

Public Works  
707.428.7485

Sincerely,

*Jon R. Hilliard*  
JON R. HILLIARD  
Associate Planner

JRH/ajf

ECONOMIC DEVELOPMENT

HOUSING

PLANNING

REDEVELOPMENT

CITY OF FAIRFIELD \*\*\* 1000 WEBSTER STREET \*\*\* FAIRFIELD, CALIFORNIA 94533-4863 \*\*\* www.ci.fairfield.ca.us

Fairfield Planning Commission

RESOLUTION 2000 - 40

A RESOLUTION OF THE FAIRFIELD PLANNING COMMISSION ADOPTING A MITIGATED NEGATIVE DECLARATION (E.R. 99-42) AND GRANTING APPROVAL FOR A 289 ACRE RESIDENTIAL TENTATIVE SUBDIVISION MAP (T.S. 99-3), CREATING 217 SINGLE-FAMILY LOTS AND 225 ACRES OF OPEN SPACE, ON PROPERTY LOCATED WEST OF RANCHO SOLANO PARKWAY, AT THE NORTHERLY AND SOUTHERLY INTERSECTIONS OF PEBBLE BEACH CIRCLE WITH RANCHO SOLANO PARKWAY, A.P.N. 151-110-060.

WHEREAS, applications for Environmental Review (E.R. 99-42) and Tentative Subdivision Map (T.S. 99-3) were submitted in accord with the rules and regulations for filing such applications; and

WHEREAS, the applicant has requested approval to divide a 289 acre property into 217 single-family lots and five open space areas, for the development of 217 single-family houses on land located west of Rancho Solano Parkway, at the northerly and southerly intersections of Pebble Beach Circle with Rancho Solano Parkway, A.P.N. 151-110-060; and

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the applications; and

WHEREAS, the City staff presented substantial factual information regarding the proposed project in staff reports and through oral presentations before the Commission; and

WHEREAS, staff has determined that the proposed subdivision and subsequent development of 217 single-family lots and 225 acres of open space could have a significant effect on the environment. However, with implementation of mitigation measures the impacts will be reduced to insignificant levels, and a Mitigated Negative Declaration prepared for the project satisfies the requirements of CEQA. The Planning Commission further determines that although the project applicant submitted supplemental environmental studies with the request for Environmental Review, the findings and conclusions used in preparing the Mitigated Negative Declaration are the independent judgment of City Staff; and

WHEREAS, the Planning Commission considered all public testimony and information presented during the public hearing regarding these applications; and

WHEREAS, the Planning Commission has determined the following findings in support of this Tentative Subdivision Map request to wit:

- a) The proposed subdivision, together with the provision for its design and improvement, is consistent with the City's General Plan in that the General Plan designates the area for Low and Low-Medium density residential development. Although the proposed density is below the General Plan density range of 2.5 to 4.5 dwellings per acre, the following findings exist in support of approving the lower density:
- The development will be compatible with the surrounding neighborhood and would not have a detrimental effect on existing or future multi-family development in each growth center. The proposed manner and density of development is similar to that in existing neighborhoods within the Rancho Solano planned development, and will not convert a planned multi-family site to single family use;
  - The development would be equal or superior to higher-density development with respect to site planning and preservation of natural topography, mature trees and other natural resources. The reason the project is proposed below the General Plan density range is due to the fact the majority of the site will be retained as dedicated open space; and
  - The density reduction will not prevent the City from achieving its goals for low and moderate income housing. The project will not convert a planned multi-family site to single family use.
- b) The site is physically suitable for the type and proposed density of development and, with proper development techniques, may be developed into its intended use. Based on the conclusions of the project Geotechnical Investigation, the land can support the intended use with implementation of mitigation measures recommended by the project's consulting geologist.
- c) The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage, and will not substantially and avoidably injure fish or wildlife of their habitat. Jurisdictional wetlands to be filled as a result of the project will be mitigated to the satisfaction of the U.S. Army Corp of Engineers (ACOE), the agency having review authority over the filled wetlands. The applicant has submitted evidence to ACOE of compliance with the requirements for filling the wetlands pursuant to Section 404 of the Clean Water Act. Further, the site is not within an Area of Concern identified by the U.S. Fish and Wildlife Service as containing potential endangered species. The applicant's consultant has completed a focused endangered species survey which found no evidence of endangered species on the site.
- d) The design of the subdivision and the type of improvements is not likely to cause serious public health problems, in that the community water and sewer

systems are available and will be extended to serve the site. The Public Works Department has confirmed there is adequate water supply to accommodate the project, provided the developer upgrades existing lines serving the site.

- e) The design of the subdivision or the type of improvements will not conflict with the easement acquired by the public for access through, or use of the property within the proposed subdivision, in that there are no access easements for use by the public at large existing on the subject site. The project is a private street subdivision within an existing larger gated private street community. Open spaces to be preserved in the project will remain in private use and ownership.
- f) The discharge of waste from the proposed subdivision into the community sewer system serving said proposed subdivision will not result in or add to a violation of the waste discharge requirements applicable to said sewer system which were prescribed by the California Regional Water Quality Control Board, San Francisco Bay Region, in that the existing Fairfield-Suisun Sewer District treatment plant has adequate capacity. The Fairfield-Suisun Sewer District has reviewed the project and confirmed the discharge from the proposed project will not create a condition exceeding the design capacity of this plant.

WHEREAS, the Planning Commission determined that the following findings exist to support approving the Hillside Development, to wit:

- a) Prominent natural features on the site are being preserved. The conditions of project approval require the preservation of several significant oak trees on the project through the use of retaining walls or through restrictions on grading.
- b) Development will generally occur in valleys and on the lower elevations of a site. Where remedial grading and catchments require upslope of residential lots, these features will be screened from local roadways and offsite views by residential buildings.
- c) As conditioned, the subdivision grading and design will provide a natural appearance along the boundary of development, where it transitions to open space hillsides to the west and north. The conditions of map approval expressly require that grading at the project perimeter/interface with open space shall not exceed 3:1 slope, unless the adjacent natural slope is steeper.
- d) Off site views will be minimized by the placement and design of improvements. The design of the street system and the placement of lots

and buildings, as conditioned, will minimize the project's visual intrusion on the adjacent Suisun Valley Scenic Vista Area.

- e) The project is designed in consideration of the long term quality of the design solution.
- f) The project includes provisions for public facilities and/or other amenities to support the development. The developer will pay parkland dedication fees (Quimby Fees) towards public parks, and will add approximately 225 acres of land (77% of the project land area) to the private open space areas within Rancho Solano. In addition, the developer has designated a five acre portion of the site for future development of a private neighborhood park.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby:

Approves the Mitigated Negative Declaration, as contained in Exhibit "A", and grants approval of the Tentative Subdivision Map subject to the conditions contained in the attached Exhibit "B".

PASSED AND ADOPTED this 10th day of January, 2001.

AYES: COMMISSIONERS: HELM, HOUDASHELT, MATTIS, SANDERS, GEBERS


NOES: COMMISSIONERS: HARPER

ABSTAIN: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

  
\_\_\_\_\_  
CHAIRPERSON  
Fairfield Planning Commission

ATTEST:

  
\_\_\_\_\_  
Seán Quinn, SECRETARY

**EXHIBIT "A"**

**MITIGATED NEGATIVE DECLARATION**

LEAD AGENCY: City of Fairfield

NAME OF PROJECT: Rancho Solano Phase 3

FILE NUMBER: E.R. 99-42

PROJECT SPONSOR: DUC Housing Partners

PROJECT LOCATION: Approximately 289 acres of land located west of Rancho Solano Parkway, at the northerly and southerly intersections of Pebble Beach Circle with Rancho Solano Parkway, and immediately east of lands of V. Sattui Winery and the portion of Smith Ranch within the jurisdiction of the County of Solano; A.P.N. 151-110-060.

PROJECT DESCRIPTION: The proposal is to develop approximately 64 acres of the subject 289 acre site with a single-family subdivision of 217 lots, provide open space and approximately 5 acre private park. The project is a portion of the larger Rancho Solano Planned Development which was approved by the City in 1985. The land plan approved for Rancho Solano in 1985 envisioned development of up to 1,200 residential units, an 18-hole public golf course, a tennis club and restaurant facility with limited guest unit accommodations, an equestrian center and private open space areas. The subject project is the third and last phase of the Rancho Solano planned development.

Development is proposed at the lower portions of the site, between the 150 foot and 290 foot elevation. The remainder of the site, approximately 225 acres, will be preserved as private open space. Access to the project is via an extension of Pebble Beach Drive from two existing intersection stubs on Rancho Solano Parkway. This street connects both development areas and would serve as the main collector from a second parallel street and cul-de-sac on the southerly portion and a series of cul-de-sacs and parallel streets in the northern portion.

The proposed development includes a mix of RL 8 (minimum 8,000 s.f.) and RLM 6 (minimum 6,000 s.f.) lots. Approximately 60% of the project is comprised of the larger lots. Most of the smaller lots are contained within the southern portion of the map.

In general, the proposed grading plan is to place fill within the flat valley areas and limited cuts on the hills that shape the project periphery to create a flat pad lotting plan. Grading includes the movement of approximately 750,000 cubic yards within the project and the import of approximately 150,000 cubic yards of fill. The limits of grading are at the 320-foot elevation on the northern portion and the 255-foot elevation on the southern portion.

**ENVIRONMENTAL EFFECTS:** The project may have the following significant environmental impacts, but with the mitigation measures the potential impacts will be avoided or reduced to insignificant levels.

**A. Aesthetics**

Impacts:

1. Potential impact of development on the Suisun Valley Scenic Corridor.
2. Potential negative visual impacts within the project and on nearby properties as a result of project grading and remedial geotechnical measures including flat catchments upslope of the development.

Mitigation:

1. As provided for in Conditions of Tentative Subdivision Map Approval, the project grading plans shall include a large berm, adjacent to and south of Lots 217, and lots 64 through 66 on the westerly edge of development, as depicted on Sheets C5 and C6 of the Preliminary Grading Plan. Said berm shall include a combination of 15 gallon and 24" box native oak trees, planted in clusters adequate to filter views into the project from the west. A preliminary design submitted with the Tentative Subdivision Map indicates a minimum of 40 trees on the berm.
2. The length and finished elevation of Black Mountain Court and the associated lots (#s 91 through 98) shall be reduced, to avoid removal of the existing 32" oak tree identified as Tree #63 on the Tree Removal Exhibit (Sheet E5 of the project plans) and to reduce the finished height of the flat catchment below Slide 10.
3. Grading at the project perimeter/interface with open space shall not exceed 3:1 slope, unless the adjacent natural slope is steeper;
4. Future homes built in the project shall utilize earthtone building and roof colors neutral to the surrounding open space hillsides. Use of light pastel building colors or red roof materials shall be prohibited.

**B. Air Quality**

Impacts:

1. Generation of dust and other airborne particulate during grading and project construction.

Mitigation:

To mitigate these potential impacts, the City will require the developer to follow the Enhanced Control Measures Identified as acceptable by the BAAQMD Guidelines, including the following:

1. Water all active construction areas at least twice daily during grading operations.

2. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
3. Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites during grading operations.
4. Sweep as needed (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
5. Sweep streets daily (with water sweepers) if visible soil materials are carried onto adjacent public streets.
6. Hydroseed or apply non-toxic soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
7. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.)
8. Limit traffic speeds on unpaved roads to 15 mph.
9. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
10. Replant vegetation in disturbed areas as quickly as possible.
11. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
12. Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas.
13. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
14. Limit the area subject to excavation, grading, and other construction activity at any one time.

#### C. Biology/ Wetlands

##### Impacts:

1. Fill of approximately .98 acres of jurisdictional wetlands as a result of development, namely within intermittent drainage creeks which traverse the property.

##### Mitigation:

1. The developer will be required to construct new wetlands on the site to mitigate for those covered by construction, at a minimum 1.5 for 1 ratio. A preliminary mitigation plan prepared by the applicant's consulting biologist indicates replacement of the .98 acres of wetlands to be filled with approximately 2.45 acres of mitigation area. The Wetlands Mitigation Plan prepared by Zentner and Zentner, dated

February 4, 2000, shall be revised to reflect the updated project layout, and an alternative course of mitigation for the rock weir at the southern perimeter shown in Figure 5 of the study.

#### D. Cultural Resources

##### Impacts:

1. Potential disturbance of archaeological resources associated with a nearby archaeological site (CA-SOL-260).

##### Mitigation:

1. Full-time monitoring of grading and earthwork is required on those lots nearest CA-SOL-260, as recommended in the second level project archaeological study prepared by Archaeological Resource Service (July 2000).

#### E. Geologic/ Soils

##### Impacts:

1. Potential hazards due to slides above development, and soil liquefaction in the event of strong ground shaking (earthquake) over the life of the project.

##### Mitigation:

1. Project Grading and improvement Plans shall comply and conform to the recommendations contained on pages 4-19 of the project Geotechnical Investigation prepared by Berloger Geotechnical Consultants dated September 16, 1999, except as otherwise directed by the City Engineer. However, in no event shall this mitigation measure be construed to require the use of steeper slopes at the project perimeter, as required in the preceding Section A.3.

#### F. Hazards

##### Impacts:

1. Exposure of persons and property to risk from wildland fires, due to the project setting and geography which includes residential building adjacent to areas subject to wildland fire risk.
2. Location of persons and houses outside the 5 minute response time for local Fire Department emergency response.

##### Mitigation:

1. The project developer shall be responsible for building, and future homeowners for maintaining, a cleared buffer between the houses and open space wildlands.
2. All homes within the project shall require an internal automatic sprinkler system for fire suppression.

G. Water Quality/Hydrology

Impacts:

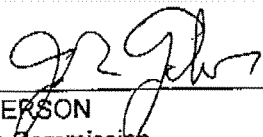
1. Potential for degradation to water quality due to increased runoff from the site.
2. Potential increase in erosion to downstream properties, due to runoff release from the project and inadequate capacity in the existing overland drainage ditches on lands to the west, within the jurisdiction of Solano County.


Mitigation:

1. Prior to issuance of any building permit for site work or for building construction, the developer shall submit an erosion and sedimentation control plan and compliance with the National Pollution Discharge Elimination System (NPDES) Permit program, and a Storm Water Pollution Prevention Plan (SWPPP).
2. Project shall comply with City's storm drainage standards which require a reduction of 10% in the historical overland release from the subject property. The project detention basin shall be designed with adequate holding capacity to meet this standard, and outfalls shall be designed to meter the release to avoid inundation of adjacent property, to the satisfaction of the City Engineer.

DETERMINATION: On January 10, 2001, the Planning Commission determined that the proposed project, with implementation of the above mitigation measures, will not have a significant effect on the environment.

The Initial Study was prepared by the Department of Planning and Development, City of Fairfield. A copy of the Initial Study is attached. Additional information may be obtained at Room 200, City Hall, Fairfield, California, 94533.

  
\_\_\_\_\_  
CHAIRPERSON  
Planning Commission

ATTEST:  
  
\_\_\_\_\_  
SEAN QUINN, Secretary

**RANCHO SOLANO PHASE 3  
MITIGATION MONITORING PROGRAM AND COMPLIANCE RECORD**

INITIAL STUDY PREPARED BY: Jon Hilliard, Associate Planner  
APPLICANT: DUC Housing Partners

FILE NO.: E.R. 99-42DATE: January 10, 2001

| MITIGATION PLAN    |                     |                                                                              |                                                                               | COMPLIANCE RECORD |                   |                       |
|--------------------|---------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------|-------------------|-----------------------|
| MITIGATION MEASURE | DEPARTMENT          | ACTION(S) REQUIRED                                                           | REQUIRED TIME OF COMPLIANCE                                                   | ACTION TAKEN      | VERIFIED BY/DEPT. | FURTHER ACTION NEEDED |
| A., 1-4            | Planning/ PWE       | Modification to map design, through grading and improvement plan preparation | Plan check, prior to Final Map or issuance of Grading Permit                  |                   |                   |                       |
| B., 1-14           | PWE/ Building       | Monitoring and inspection                                                    | During project construction                                                   |                   |                   |                       |
| C., 1              | Planning            | Modification of wetlands mitigation plan; Field inspection and monitoring.   | Plan check, and during project construction                                   |                   |                   |                       |
| D., 1              | Planning            | Site monitoring                                                              | During project construction                                                   |                   |                   |                       |
| E., 1              | PWE                 | Plan review and site monitoring                                              | Prior to issuance of Grading Permit, and during project construction          |                   |                   |                       |
| F., 1 & 2          | Planning/ PWE/ Fire | Plan review                                                                  | During project construction and prior to issuance of Certificate of Occupancy |                   |                   |                       |

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|-----------|-----|------------------------------------|-------------------------------------------------------------|--|--|--|--|
| G., 1 & 2 | PWE | Plan review and<br>site inspection | Prior to approval<br>of Subdivision<br>Improvement<br>Plans |  |  |  |  |
|-----------|-----|------------------------------------|-------------------------------------------------------------|--|--|--|--|

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PC DATE: 01-10-2001

PC ITEM NO.: A  
FILE NO.: ER. 99-42; T.S. 99-3

## MITIGATION MONITORING AND REPORTING PROGRAM

### INTRODUCTION

AB 3180, (Public Resources Code section 21081.6) requires public agencies to adopt a reporting or monitoring program whenever: a) a Negative Declaration which incorporates mitigation measures is adopted for a project; and b) after certifying an EIR, CEQA findings are adopted which concludes that otherwise significant impacts will be substantially lessened or avoided through the adoption of mitigation measures.

The following procedures shall be followed to ensure compliance with AB 3180. Please note that these procedures are intended to cover all project categories (private or public) and all stages of a project when monitoring or reporting may be required. A typical mitigation or monitoring program will consist of the checklist (Appendix "A"), the General Provisions, and appropriate portions of the section titled "Types of project and mitigation and their monitoring/reporting procedures." The monitoring or reporting program may be attached to the Mitigated Negative Declaration or EIR findings and made a part of that document.

The CEQA Guidelines require mitigation of "significant impacts", except where findings of overriding significance are made. Unless this threshold of "significant impact" is reached, it is advisable to address project issues as conditions of project approval outside the CEQA process.

Mitigation measures must be written in very clear language, and must specify what, who, when, where, and if possible the why.

### GENERAL PROVISIONS

- A. Checklist: All mitigation measures for a Negative Declaration or EIR shall be incorporated into the attached checklist for the purpose of monitoring or reporting their implementation.
- B. Disagreement over the interpretation of a mitigation condition: Where staff and the applicant cannot agree on the exact meaning of a mitigation condition, the matter shall be referred to the Director of Planning and Development. The applicant shall have the right to appeal the Director's interpretation to the Planning Commission.
- C. Reporting: All reports submitted by the developer and consultant shall be under the penalty of perjury.
- D. Records: All records pertaining to a Mitigated Negative Declaration shall be kept in the project file at the offices of the Planning and Development Department.

- E. Fees: For private projects, the applicant shall bear the cost of monitoring and/or reporting. Fees charged for staff time shall be established by City Council Resolution. Where necessary, the applicant will be required to deposit a lump sum with the Planning and Development Department. Monitoring costs will be debited against said deposit. For public projects where fees are not charged, the cost of monitoring shall be borne by the Department responsible for the project.
- F. Penalties: If an applicant fails to properly implement mitigation measures, the Director of Planning and Development or the appropriate City Department may issue a stop-work order, or deny subsequent approvals necessary to complete and occupy the project. In some cases, the City may require performance bonds or letters of credit to ensure that mitigation conditions are properly implemented. The amount of such bonds or letters of credit shall be determined by the Director of Planning and Development. Failure to implement mitigation measures or to furnish required mitigation reports may be cause for suspension or revocation of a permit or the basis for legal action by the City to enforce compliance with the mitigation measure or reporting requirement.

#### **TYPES OF PROJECTS AND MITIGATION AND THEIR MONITORING/REPORTING PROCEDURES:**

##### **Private Projects**

- A. Conditions affecting permanent construction. These conditions affect the permanent design and location of a structure. Examples include limiting building height, requiring a setback, or providing a landscape buffer.
- The department applying the condition signs off on the mitigation condition(s) before the building permit is issued, verifying that the plans conform with the condition(s).
  - The building inspector ensures that construction conforms with approved plans.
  - Affected department signs off on the mitigation condition(s) before final inspection/occupancy, verifying that the project conforms to the mitigation condition(s).
- B. Conditions during construction. These conditions affect the way construction is carried out. Examples will be hours of operation, erosion control plans, preservation of archaeological sites, and preservation and protection of marshes.
- Responsibility for monitoring and reporting shall be placed on the applicant. The City department which imposed the condition will investigate complaints

and review reports that are submitted. City inspectors should be informed about mitigation conditions so they can report obvious violations.

- Reporting by applicant shall be under penalty of perjury.

C. Operational Conditions. These require permanent monitoring/reporting on a regular basis. Examples will include: hours of operation, maximum occupancy, toxic handling and disposal, and limits on nuisances like noise and odors.

- The burden would be placed on the applicant to provide reports to the City as required. The content and frequency of the reports would be specified as part of the conditions. Specialized inspectors may be required.
- Failure to implement an operational mitigation measure or to furnish required mitigation reports may be cause for suspension or revocation of a permit or the basis for legal action by the City to enforce compliance with the mitigation measure or reporting requirement.
- Reporting shall be under penalty of perjury.
- The City may enter into agreement with another agency to monitor compliance (e.g. Fish and Game for creek conditions; County Health for toxins).
- Code enforcement officer, planning staff, appropriate City staff will investigate complaints, and also ensure that reports are submitted as required to the Planning and Development Department.